THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.Nos.16697,16737 & 16739 of 2006

(Common Order)

Dated: 14-08-2006

Between:
Deepak Kirana Stores, Navaratan Cloth Stores and Sri Ram Electrical Stores.

Petitioners

And

The Municipal Corporation of Hyderabad rep. by Commissioner and another.

Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.Nos.16697,16737 & 16739 of 2006

COMMON ORDER:

1. These writ petitions are filed by the tenants of the different shops wherein prayed for writ of Mandamus directing the 1st respondent to take up demolition

work for road widening purposes after identifying the exact affected area as per the plan and not to dismantle or disturb the remaining unaffected portions relating to the respective premises specified in the reliefs prayed for in the writ petitions by giving advance notice and consequently permitting the petitioners to fix or install shutter to the premises for protecting and safeguarding the stocks/goods in the unaffected portions of the tenanted premises and pass such other suitable orders.

2. It is stated by the respective petitioners in these writ petitions that they have no objection in handing over the affected portions to the first respondent for the purpose of road widening and for demolishing the same. It is stated that the first respondent however, colluded with the second respondent for the purpose of demolishing the entire premises so as to facilitate the second respondent to evict the petitioners from the respective premises under the guise of demolition. It is also stated that the first respondent has not issued any notice to the petitioners in order to clarify as to what is the actual affected portion for the purpose of demolition. Therefore, there is every possibility of the first respondent demolishing much more area than the area earmarked for road widening purpose only with a view to help the second respondent. These aspects relating to the collusion need

not be seriously considered at this stage. In view of the undertaking given by the respective petitioners that they are prepared to hand over the affected portions, let the first respondent to take up demolition work of road widening after identifying the exact affected portions as per the plan and proceed with in accordance with the same and not to disturb the remaining unaffected portions of the respective premises, by putting the petitioners on notice and also permit the respective petitioners to fix or install shutter to the respective premises for protecting and safeguarding the stocks or goods in the unaffected portions of the respective premises.

3. With the above directions, the writ petitions are disposed of. No order as to costs.

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P.S.NARAYANA,J

14-08-2006

Note:
C.C.by Friday i.e.(18-08-2006)
B/o.
Stp